

Notice of Allowability	Application No.	Applicant(s)	
	09/704,796	KAY ET AL.	
	Examiner	Art Unit	
	Charles Chow	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 2/28/2006.
2. ☒ The allowed claim(s) is/are 1-47.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☒ to Paper No./Mail Date 9/01/2004.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Detailed Action

1. This office action is for amendment received on 2/28/2006.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

Claims 1-47 are allowable over the prior art of record. The prior arts fail to teach the allowable features, singly, particularly, or in combination.

The parent case 09/384,182, 8/27/1999 claims different subject matter; and the cited references fail to teach the following allowable features,

the **each program identifier is encoded** in a portion of the signal that represents the video segment with which that program identifier uniquely corresponds, together with,

the **transmit a first product related request including the one unique identifier corresponding to the programming segment** to which the first product request relates;

for the broadcast information including video, commercial, programming together with the plurality of program identifiers in a signal, to user stations, for promoting user's purchase once displayed on screen, in each independent claims 1, 17, 33, [applicant's amendment 10/06/2005].

The dependent claims are also allowable due to their dependency upon the independent claims and the having additional claimed features.

The closest prior art from **Kaiser et al. (US 6,615,408 B1)** fails to teach the each program identifier is encoded in a portion of the signal that represents the video segment with which the program identifier uniquely corresponds,

although Kaiser et al. teaches an action resource provider communicates with user reproduction apparatus for receiving a user purchase request via selection actions, having the purchase request corresponding to a trigger in the trigger zone [col. 3, lines 36-56]; the

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user selectable action can be a product purchase action, or a promotion participation action, or a information request action [col. 3, lines 3-5];

the broadcast video production 1100 comprising placement zone having image referencing a product & a trigger zone having trigger resource identifier [Fig. 2, abstract; col. 2, lines 40-59];

image referencing a product for a car, or car insurance services or car vending [Fig. 6A, col. 10, lines 1-8]; the trigger zone resource identifier is a URI having the form of http://<server name>/<videoproduct>/<position>. The <videoproduct> refers to an identifier of the video segment [col. 6, lines 35-64].

Yurt et al. (US 2004/0049,792 A1) teaches the user request of first product for playing back audio and video [paragraph 0001, 0014]; the unique identification code for source material to be encoded by identification encoding means for transmitting to remote user [paragraph 0013-0014]; the identification encoding means to retrieve items information from source material library, with assigned unique identification code, for transmission to remote user location, in a compressed converted format [paragraph 0013], for user playback request based on unique identification code [paragraph 0001], but fail to teach the video programming having associated program identifier; the transmitted product request including the one unique identifier for the video programming segment.

Other prior arts in below has been considered, but they fail to teach the above allowable features.

Yuen (US 5,898,919) teaches the purchasing advertisement segment [not a video programming, Fig. 7-8; "1. Repo Man" to "4. Heavy Metal", are programming guide] is embedded inside vertical blanking interval. The advertisement segment for pay per view PPV event [not a video] has embedded product identifier, for user buy command to

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purchase a product from central site [Fig. 6, col. 11, line 66 to col. 12, line 54; abstract, col. 13, lines 45-58; col. 9, line 66 to col. 10, line 9], but fails to mention encoding of the product identification information, & video programming.

Kitsukawa et al. (6,282,713 B1) teaches the ordering of product using advertising information [col. 16, lines 28-30, Fig. 4-5, Fig. 7, abstract], but fails to teach the transmitting of unique identification of the video programming in purchasing request.

Voyticky et al. (US 6,438,751 B1) teaches the tuner configuration table 250 (Fig. 4), and the channel setting (S421, Fig. 9), for the broadcast television product information to using according to table 909, content ID, 910 (Fig. 16A/16B; col. 13, lines 35-44), for identifying program using content ID. Voyticky teaches the process of mapping broadcast time to program time using skew time at server to retrieve program was process, and using time stamps (col. 12, line 45 to col. 22). Voyticky teaches an improved efficient method for purchasing good and service displayed in television broadcast (col. 1, lines 6-8; col. 2, lines 19-49) by ordering via internet while watching television.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles C. Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the


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organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Charles Chow *C.C.*

April 18, 2006.


EDWARD F. URBAN
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